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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/519,206	03/06/2000	Derek Hoiem	MSFT-0515/37430.02	8410
41505 7590 10/03/2007 WOODCOCK WASHBURN LLP (MICROSOFT CORPORATION) CIRA CENTRE, 12TH FLOOR 2929 ARCH STREET PHILADELPHIA, PA 19104-2891			EXAMINER TRAN, MYLINH T	
			ART UNIT 2179	PAPER NUMBER
			MAIL DATE 10/03/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

09/519,206

Applicant(s)

HOIEM ET AL.

Examiner

Mylinh Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1, 6-8, 24 and 29-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 6-8, 24, 29-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.

Applicant's submission filed on 08/06/07 has been entered.

Applicant's amendment filed 08/06/07 has been entered and carefully considered. Claims 1 and 24 have been amended. However, limitations of the amended claims have not been found to be patentable over prior art of record. Therefore, these claims are rejected under the same ground of rejection as set forth in the Office Action mailed 04/06/07.

### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1, 6-8 lack the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 101. They are clearly not a series of steps or acts to be a process nor are they a combination of chemical compounds to be a composition of matter. As such, they fail to fall within a statutory category. They are, at best, functional descriptive material per se.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 6-8, 24 and 29-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koppolu (US. 5,706,458).

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

**As to claims 1 and 24**, Koppolu discloses teaches a computer implemented method and corresponding apparatus for a unified user interface for an application comprising the steps/means for one or more component tables (commands that map to keystrokes, figure 1 , 112, underlined W of WordPerfect Help, underlined T of Technical Microsoft Word), each component table corresponding to a component of the application (the commands under Help

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menu correspond to components of the application), each component table including at least one command for the corresponding component (at least one command "Technical Support" is included in "Help" component table), and each component table including a description for adding the command to the user interface (figure 22, column 14, line 4 through column 16, line 10);

each command having an associated priority (column 14, line 65 through column 15, line 5, each command has its priority based on the Count Array at figure 10);

a master table merged from the one or more component tables, said master table including available commands and available command vectors for the application (the commands under Help menu correspond to components of the application), each command and command vector having a unique object identifier and a visibility flag specifying, whether the command or command vector is to be displayed within the interface to a user of the interface (Koppolu's system shows the selected commands (under File menu) are displayed in black color, while other commands are displayed in gray color.

Even though the commands are enable (or disable) for the user's selection (or not), the flags visibility still specifies the commands (and the command vectors) to be displayed within the interface to a user of the interface by in gray or black colors);

and said master table comprising commands that map to keystrokes (figure 11, each menu table (1104, 1106) comprises a list of commands that map to

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keystrokes. Therefore, the merged menu list comprises a merged "commands that map to key strokes" list as well as the master table).

Koppolu fails to clearly teach each command and command vector having a unique object identifier. However, it was well known in the computer art that Koppolu suggest the feature because each command "Technical Support" of the Word Processor and Graphic programs has a unique object identifier in order to get the desired "Technical Support" command when the user requests.

Koppolu fails to clearly teach each command and command vector having a flag specifying visibility. However, it was well known in the computer art that Koppolu suggests the feature. In the Koppolu's system, the selected commands (under File menu) are displayed in black color, while other commands are displayed in gray color. The flags specify visibility or invisibility of their commands.

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the well known implementation that each command having a flag specifying visibility with the teachings of Koppolu. Motivation of the combination would have been to identify user available property selected.

**As to claims 6 and 29**, Koppolu also discloses an additional component table and wherein the master table is merged from the at least one component table and the additional component table (the master table merges container menus with sever menus, column 5, lines 1-24, figure 11 , each menu table (1104,

1106) comprises a list of commands that map to keystrokes. Therefore, the merged menu list comprises a merged "commands that map to key strokes" list as well as the master table).

**As to claims 7 and 30**, Koppolu teaches a removed component table of the at least one component table corresponding to a removed component and wherein the master table is merged from the remaining component tables of the at least one component table. It was inherent that the master table merges only "commands that map to the keystrokes" tables when server menu table of "commands that map to the keystrokes" is removed from a list.

**As to claims 8 and 31**, Koppolu also teaches the master table including available commands ("Quick Preview", "WordPerfect Help", "Technical Support" and "About Microsoft Word"), menus and toolbars and the location of each available command (figure 1).

### **Response to Arguments**

Applicant has argued that Koppolu fails to teach each command and command vector having a visibility flag specifying whether the command or command vectors is to be displayed within the interface to a user of the interface.

However, the Examiner respectfully disagrees because the Koppolu's system shows the selected commands (under File menu) are displayed in black color, while other commands are displayed in gray color.

(Koppolu's system shows the selected commands (under File menu) are displayed in black color, while other commands are displayed in gray color.

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Even though the commands are enable (or disable) for the user's selection (or not), the flags visibility still specifies the commands (and the command vectors) to be displayed within the interface to a user of the interface by in gray or black colors. The applicant is correct to state that availability within a drop-down menu is shown by a command being displayed in a solid fashion or a black, while non-availability within such a drop-down menu is shown by the command being displayed in gray or a ghosted fashion. However, the commands being displayed in black or gray still show the visibility to the user. The commands would not be displayed to the user at all (even in gray color) if they are not in a visible state.

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran. The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4141 . If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo, can be reached at 571-272-4847. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

571-273-8300

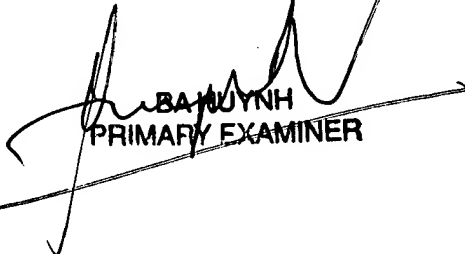
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Mylinh Tran

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BA HUYNH  
PRIMARY EXAMINER